

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, NOVEMBER 18, 2009.

[121]*

JOURNAL OF THE HOUSE.

Wednesday, November 18, 2009.

Met according to adjournment, at eleven o'clock A.M., with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, Our Creator, this moment of reflection and prayer at the opening of today's formal legislative session is a reminder of Your presence and availability to us. Therefore we pray for truth in our minds, light in our consciences and love in our hearts. In Your goodness, help us to implement these special gifts from You as we carry out our tasks and responsibilities during the course of this and every day. In dealing with current, often complex, public policy issues and administrative proposals, inspire us to remain faithful to our high personal standards and our human and spiritual values. In addressing economic and social challenges, may we remember the dedication and the courage of the elected leaders who have gone before us in this House. May we continue to make the Commonwealth a place of excellence in scientific reason, life sciences, education and in meeting the needs of all people.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Prayer.

Pledge of
allegiance.

Silent Prayer.

At the request of Representative deMacedo of Plymouth, members, guests and employees stood in a moment of silent prayer in memory of Army Specialist Benjamin William Sherman of Plymouth.

Specialist Sherman was killed in Afghanistan while serving with the 4th Brigade Combat Team, 82nd Airborne Division. He was a resident of Plymouth and is survived by his wife, Patricia, who is due to give birth to their first child in March. Benjamin is also survived by his mother, Denise Sherman, father William T. Sherman, and sister Meredith Sherman.

Army Specialist
Benjamin William
Sherman.

Message from the Governor.

A message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to authorizing the town of Plymouth to conduct a referendum election on January 19, 2010 (House, No. 4358), was filed this day in the office of the Clerk.

The message was read; and it was referred, under Rule 30, to the committee on

Plymouth,—
referendum.

Election Laws. Sent to the Senate for concurrence.

Statement Concerning Representative Coakley-Rivera of Springfield.

A statement of Mrs. Haddad of Somerset concerning Ms. Coakley-Rivera of Springfield was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Coakley-Rivera of Springfield, will not be present in the House Chamber for today's sitting due to personal reasons. Her missing of roll calls today is due entirely to the reason stated.

Statement
concerning
Representative
Coakley-Rivera
of Springfield.

Statement Concerning Representative Flynn of Bridgewater.

A statement of Mrs. Haddad of Somerset concerning Mr. Flynn of Bridgewater was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Flynn of Bridgewater, will not be present in the House Chamber for today's sitting due to personal reasons. His missing of roll calls today is due entirely to the reason stated.

Statement
concerning
Representative
Flynn of
Bridgewater.

Statement Concerning Representative Reinstein of Revere.

A statement of Mrs. Haddad of Somerset concerning Ms. Reinstein of Revere was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Reinstein of Revere is unable to be present in the House Chamber for today's sitting due to personal business. Her missing of roll calls today is due entirely to the reason stated.

Statement
concerning
Representative
Reinstein
of Revere.

Statement of Representative Rogers of Norwood.

A statement of Mr. Rogers of Norwood was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I will be unable to be present in the House Chamber for the remainder of today's sitting, due to family obligations. My missing of roll calls for the remainder of today's sitting will be due entirely to this reason.

Statement of
Representative
Rogers of
Norwood.

Statement of Representative Spellane of Worcester.

A statement of Mr. Spellane of Worcester was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I will be unable to be present in the House Chamber for a portion of today's sitting, due to a long-standing educational commitment. My missing of roll calls today will be due entirely to this reason.

Statement of
Representative
Spellane of
Worcester.

Statement Concerning Representative Vallee of Franklin.

A statement of Mr. Mariano of Quincy concerning Mr. Vallee of Franklin was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Mr. Vallee of Franklin is unable to be present in the House Chamber for today's sitting due to his being out of the country on active duty with the United States Army. His missing of roll calls today is due entirely to the reason stated.

Statement
concerning
Representative
Vallee of Franklin.

Guest of the House.

During the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced Dr. Phil Budden, British Consul General. Counsel General Budden was the guest of Mr. Rush of Boston.

British Counsel
General Dr. Phil
Budden.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mrs. Haddad of Somerset) congratulating John R. Charest on receiving the Eagle Award of the Boy Scouts of America;

John R. Charest.

Resolutions (filed by Representatives Haddad of Somerset and D'Amico of Seekonk) congratulating Stephan C. Flanagan on the occasion of his retirement;

Stephan C.
Flanagan.

Resolutions (filed by Mr. Nyman of Hanover) congratulating Mr. and Mrs. James Kaszanek on the occasion of their fiftieth wedding anniversary;

James and Mary
Pat Kaszanek.

Resolutions (filed by Ms. Peisch of Wellesley) honoring the Sisters of Charity on the occasion of its two hundredth anniversary;

Sisters of Charity.

Resolutions (filed by Mr. Walsh of Boston) congratulating Captain James McKinley Claiborne on the occasion of his retirement; and

James McKinley
Claiborne.

Resolutions (filed by Messrs. Walsh of Boston and Naughton of Clinton) congratulating Paul J. McNally on the occasion of his retirement.

Paul J. McNally.

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Smizik of Brookline, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Papers from the Senate.

The House Bill authorizing the Division of Capital Asset Management and Maintenance to convey, lease and grant easements with respect to certain land in the town of Uxbridge (House, No. 4300, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 33 striking out the word "shall" and inserting in place thereof the word "may".

Uxbridge,—
land.

Under suspension of Rule 35, on motion of Mr. Kujawski of Webster, the amendment (reported by committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

The House Bill extending simulcasting (House, No. 4323, amended) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2215.

Simulcasting.

Under suspension of Rule 35, on motion of Mr. Dempsey of Haverhill, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith.

The same member then moved that the House concur with the Senate in its amendment with a further amendment by striking out section 14 (inserted by amendment by the Senate) and inserting in place thereof the following section:

“SECTION 14. Notwithstanding section 2 of chapter 128A of the General Laws and sections 1, 2 and 2A of chapter 128C of the General Laws or any other general or special law or rule or regulation to the contrary, the greyhound meeting licensee located in Bristol county and the greyhound meeting licensee located in Suffolk county licensed to conduct live racing pursuant to said chapter 128A and simulcast wagering pursuant to chapter 128C of the General Laws in calendar year 2009, shall remain licensed as greyhound racing meeting licensees until July 31, 2010; provided, however, that the days between January 1, 2010, and July 31, 2010, shall be dark days pursuant to said chapter 128C and said licensees shall continue to be precluded from conducting live racing during that period as provided in chapter 388 of the acts of 2008; provided further, that all simulcasts shall comply with the Interstate Horse Racing Act of 1978, 15 U.S.C. Sec. 3001 et seq. or other applicable federal law; provided further, that all simulcasts from states which have racing associations that do not require approval in compliance with the Interstate Horse Racing Act of 1978, 15 U.S.C. Sec. 3004 (a) (1) (A), except simulcasts during the month of August, shall require the approval of the New England Horsemen's Benevolent and Protective Association prior to being simulcast to a racing meeting licensee within the commonwealth; and provided further, that if the association agrees to approve the simulcast for 1 racing meeting licensee, it shall approve the simulcast for all otherwise eligible racing meeting licensees.”.

The further amendment was adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendment.

Bills

Revising the interstate compact on the placement of children (Senate, No. 2211) (on Senate bill No. 67);

Interstate compact.

Relative to harassment prevention orders (Senate, No. 2212, amended in section 1, in lines 13, 14 and 15, by striking out the paragraph contained therein and inserting in place thereof the following paragraph:

Harassment orders.

“(ii) an act that: (A) by force, threat or duress causes another to engage, involuntarily, in sexual relations; or (B) constitutes a violation of section 13B, 13F, 13H, 22, 22A, 23, 24, 24B, 26C, 43 or 43A of chapter 265 or section 3 of chapter 272.”) (on Senate bill No. 2185);

Relative to transportation (Senate, No. 2213) (on Senate bill No. 2202); and

Transportation.

Relative to education reform (Senate, No. 2216) (on Senate bill No. 2205);

Education.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A Bill financing health care through general moral obligation bonds (Senate, No. 2208) (on Senate bill No. 2207), passed to be engrossed by the Senate, was read; and referred, under Rule 17G, to the House committee on Bonding, Capital Expenditures and State Assets.

Health care
bonds.

A petition of Gale D. Candaras for legislation to establish a sick leave bank for Kathleen Canning an employee of the department of public safety, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Kathleen Canning,
— sick leave
bank.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2217) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on House, No. 3837, a Bill authorizing the conveyance of certain state land in the town of Sharon (House, No. 4357). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Sharon,—
state land.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of the same member, the bill was read a second and (having been reported by the committee on Bills in the Third Reading to be correctly drawn) a third time forthwith; and it was passed to be engrossed, its title having been changed by said committee to read: "An Act authorizing the conveyance of certain parcels of land in the town of Sharon."

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Bill authorizing an exchange of certain parcels of land for Martha's Vineyard Hospital (Senate, No. 2146, amended) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Martha's
Vineyard
Hospital.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Rush of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. Madden of Nantucket, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Bill relative to the leasing of (3) parcels of land in the city of Boston (House, No. 3671) ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4356). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Boston,—
lease land.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Moran of Boston, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on further motion of the same member, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, its title having been changed by said committee to read: "An Act relative to the leasing of certain parcels of land in the city of Boston.". The bill (House, No. 4356) then was sent to the Senate for concurrence

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Bill providing for the transfer of certain state real property to the town of Hopkinton (House, No. 3882) ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4350). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Ms. Dykema of Holliston, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. The bill (House, No. 4350) then was sent to the Senate for concurrence

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Bill relative to the leasing of the lifesaving station in the town of Westport to the Westport Fisherman's Association (House, No. 4184) ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4351). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. Rodrigues of Westport, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, its title having been changed by said committee to read: "An Act relative to the leasing of the lifesaving station in the town of Westport to the Westport Fishermen's Association.". The bill (House, No. 4351) then was sent to the Senate for concurrence.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Bill authorizing the lease of land to yacht clubs (House, No. 4252) ought to pass with an amendment substituting therefore a bill with the same title (House, No. 4346). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Hopkinton,—
land transfer.

Westport,—
Lifesaving station.

Yacht clubs.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. Donato of Medford, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. The bill (House, No. 4346) then was sent to the Senate for concurrence.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Bill authorizing the Massachusetts Turnpike Authority to lease certain property to the Boston Harbor Alliance (House, No. 4312, changed) ought to pass with an amendment substituting therefore a Bill authorizing the Rose Fitzgerald Kennedy Greenway Conservancy to lease certain property to the National Park Service (House, No. 4347). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Rose Kennedy
Greenway.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. Michelwitz of Boston, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Pedone of Worcester moved to amend it in lines 12 and 13, in line 15 and also in line 16, by striking out the words "Boston Harbor Island Alliance" the inserting in place thereof, in each instance, the words: "National Park Service".

The amendments were adopted; and the bill, as amended, was passed to be engrossed. The bill (House, No. 4347, amended) then was sent to the Senate for concurrence.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Bill authorizing the Division of Capital Asset Management and Maintenance to transfer an easement and certain land in the city of Marlborough to Michael Audette (House, No. 4339) ought to pass with an amendment substituting therefore a Bill authorizing the Division of Capital Asset Management and Maintenance to transfer an easement and certain land in the town of Natick to Michael Audette (House, No. 4349). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Natick,—
Michael
Audette.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Peterson of Grafton, the bill was read a second time forthwith.

The amendment recommended by the committee was adopted; and the substituted bill was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the

rules, on motion of Mr. Linsky of Natick, the bill (reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. The bill (House, No. 4349) then was sent to the Senate for concurrence.

By Mr. Murphy of Burlington, for the committee on Ways and Means, that the Bill authorizing Berkshire Community College to lease certain land to the Pittsfield Young Men's Association (Senate, No. 2114, amended) ought to pass with an amendment by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4352. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Berkshire
Community
College,—
lease land.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Murphy of Burlington, the bill was read a second time forthwith.

The amendment recommended by the committee was adopted; and the bill (Senate, No. 2114, amended) was ordered to a third reading.

Emergency Measures.

The engrossed Bill authorizing the Massachusetts Department of Transportation and the town of Kingston to exchange certain parcels of land (see Senate, No. 2147, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Kingston,—
Convey land.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 6 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate.

Bill enacted.

The engrossed Bill preserving publicly-assisted affordable housing (see Senate, No. 2190, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Affordable
housing.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 6 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate.

Bill enacted.

Recess.

At twenty-two minutes after eleven o'clock A.M., on motion of Mr. Kafka of Stoughton (Mr. Donato of Medford being in the Chair), the House recessed until the hour of twelve o'clock noon; and at half past twelve o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 and 9 be suspended on the petition Ronald Mariano relative to the boundaries of a certain parcel of land on the Fore River and located in the city of Quincy and in the town of Braintree. Under suspension of the rules, on motion of Mr. Mariano of Quincy, the report was considered forthwith. Joint Rule 12 and 9 was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

Fore River,—
boundries.

By Mr. Binienda of the Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Paul McMurtry for legislation to establish a sick leave bank for Olivia Mulhall, an employee of the Department of the Trial Court. To the committee on the Judiciary.

Olivia Mulhall,—
sick leave bank.

A joint petition (accompanied by bill) of David B. Sullivan and Joan M. Menard that the inpatient library at the Corrigan Mental Health Center in the city of Fall River shall be designated as the Ralph A. Roberts Library. To the committee on State Administration and Regulatory Oversight.

Fall River,—
Roberts Library.

Under suspension of the rules, on motion of Mr. McMurtry of Dedham, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Recesses.

At eight minutes before one o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until a quarter before two o'clock; and at the hour of two o'clock the House was called to order with Mr. Donato in the Chair.

Recesses.

The House thereupon took a further recess, on motion of Mr. Jones of North Reading, until half past two o'clock; and at nine minutes before three o'clock the House was called to order with Mr. Donato in the Chair.

Engrossed Bill — Land Taking.

The engrossed Bill authorizing the town of Harwich to convey certain recreational land (see House, No. 4314) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Harwich,—
convey land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 156 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 251.

[See Yea and Nay No. 251 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting

Speaker and sent to the Senate.

Reports of Committees.

Mr. Mariano of Quincy being in the Chair,—

Mr. Murphy of Burlington, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 4302), returning with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2009 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4288), reported, in part, in each instance, that certain items (contained in section 2) and his disapproval of the appropriation made in the introductory sentence contained in section 2C.I stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported, in each instance, that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, in each instance, on motion of Mr. Murphy of Burlington, the following items and the disapproval of the appropriation made in the introductory sentence contained in section 2C.I were considered; and the sense of the House, in each instance, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, as follows:

After remarks, the question on passing the disapproval of the appropriation made in the introductory sentence contained in section 2C.I, notwithstanding the action of the Governor was determined by yeas and nays as required by the Constitution; and on the roll call 125 members voted in the affirmative and 31 in the negative.

[See Yea and Nay No. 252 in Supplement.]

Therefore the disapproval of the appropriation made in the introductory sentence contained in section 2C.I was passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative. Sent to the Senate for its action.

After debate, the question on passing item 0339-1001 (contained in section 2), notwithstanding the action of the Governor was determined by yeas and nays as required by the Constitution; and on the roll call 139 members voted in the affirmative and 14 in the negative.

[See Yea and Nay No. 253 in Supplement.]

[Messrs. Costello of Newburyport, Petrolati of Ludlow and Quinn of Dartmouth answered “Present” in response to their names.]

Therefore item 0339-1001 (contained in section 2) was passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative. Sent to the Senate for its action.

After remarks, the question on passing item 0339-1003 (contained in section 2), notwithstanding the action of the Governor was determined by yeas and nays as required by the Constitution; and on the roll call 145 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 254 in Supplement.]

Therefore item 0339-1003 (contained in section 2) was passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative. Sent to the Senate for its action.

Fiscal Year 2009
Supplemental
Appropriation
Bill.

Section 2C.I
stands,—
yea and nay
No. 252.

Item 0339-1001
stands,—
yea and nay
No. 253.

Item 0339-1003
stands,—
yea and nay
No. 254.

The question on passing item 0330-3337 (contained in section 2), notwithstanding the action of the Governor was determined by yeas and nays as required by the Constitution; and on the roll call 131 members voted in the affirmative and 24 in the negative.

[See Yea and Nay No. 255 in Supplement.]

Therefore item 0330-3337 (contained in section 2) was passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative. Sent to the Senate for its action.

Item 0330-3337
stands,—
yea and nay
No. 255.

Mr. Murphy of Burlington, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 4206), returning with his disapproval or reductions of certain items contained in the engrossed Bill making appropriations for the fiscal year 2010 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4181), reported, in part, section 32A stand (as passed by the General Court). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Fiscal Year 2010
Supplemental
Appropriation
Bill.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Murphy of Burlington, section 32A was considered; and the sense of the House was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, as follows:

After remarks, the question on passing section 32A, notwithstanding the action of the Governor was determined by yeas and nays as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

Section 32A
stands,—
yea and nay
No. 256.

[See Yea and Nay No. 256 in Supplement.]

Therefore the disapproval of section 32A was passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative. Sent to the Senate for its action.

By Mr. Murphy of Burlington, for the committee on Ways and Means, on House, No. 4303, a Bill implementing fiscal stability measures for fiscal year 2010 (House, No. 4348). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Fiscal stability.

Mr. Kafka of Stoughton, for said committee, then reported recommending that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

At ten minutes after five o'clock P.M., on motion of Mr. Murphy of Burlington (Mr. Mariano of Quincy being in the Chair), the House recessed until the hour of six o'clock; and at that time the House was called to order with Mr. Petrolati of Ludlow in the Chair.

Recess.

Ms. Clark of Melrose thereupon asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Petrolati), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 144 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 257.

[See Yea and Nay No. 257 in Supplement.]

Therefore a quorum was present.

Subsequently a statement of Ms. Fox of Boston was spread upon the records, as follows:

Statement of
Representative
Fox of Boston.

MR. SPEAKER: I would like to call to the attention of the House the fact that I was not present in the House Chamber on the previous roll call due to official business in another part of the State House.

Under suspension of the rules, on motion of Mr. Murphy of Burlington, the bill was read a third time, its title having been changed by the committee on Bills in the Third Reading to read: "An Act establishing fiscal stability measures for fiscal year 2010."

Said committee reported recommending that the bill be amended by inserting after section 10 the following three sections:

"SECTION 10A. Said section 3F of said chapter 23A, as so appearing, is hereby further amended by inserting after the word 'same', in line 19, the following word:- expansion.

SECTION 10B. Said section 3F of said chapter 23A, as so appearing, is hereby further amended by inserting after the word 'the', in lines 33, 38, 46, 58, the following word:- expansion.

SECTION 10C. Said section 3F of said chapter 23A, as so appearing, is hereby further amended by inserting after the word 'certified', in line 104, the following word:— expansion."

The report was accepted; and the amendment was adopted.

After remarks on the question on passing the bill, as amended, to be engrossed, Mr. Jones of North Reading asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Petrolati), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 151 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 258.

[See Yea and Nay No. 258 in Supplement.]

Therefore a quorum was present.

After remarks on the question on passing the bill, as amended, to be engrossed (Mr. Donato of Medford being in the Chair), Ms. Callahan of Sutton moved to amend it by inserting after section 44 (as published) the following section:

"SECTION 42A- Provided further that a detailed itemized budget relative to house and senate operations contained in any legislative accounts including; line items 9500-0000, 9600-0000, and 9700-0000 shall be filed by the offices of house speaker and senate president with both the house and senate committees on ways and means prior to the release of the annual house and senate budgets for the proposed fiscal year budget and any changes made to said itemized operations in such legislative accounts within deficiency budgets shall be duly noted. These itemized budgets and changes shall be made available to all members of the General Court."

Pending the question on adoption of the amendment, Mr. Murphy of Burlington moved to amend it by striking out the proposed section and inserting in place thereof the following:

"SECTION 42A. Any information transmitted to the state comptroller regarding expenditures made by the general court shall be made available by the state comptroller to the public unless otherwise privileged or confidential pursuant to any law, rule or regulation."

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays at the request of Ms. Callahan of Sutton; and

Further
amendment

on the roll call 119 members voted in the affirmative and 35 in the negative.

[See Yea and Nay No. 259 in Supplement.]

Therefore the further amendment was adopted, thus precluding a vote on the pending amendment.

Mr. Jones of North Reading and other members then moved to amend the bill by inserting after section 42A (inserted by amendment) the following section:

“SECTION 42B. Section 1 of chapter 124 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the following new subsection:—

(v) adopt policies and procedures, in consultation with the county sheriffs, establishing an optional fee, of a maximum of \$5, to be paid by inmates for daily room and board at any county or state correctional facility. Based on an inmate’s ability to pay, the commissioner or a county sheriff may charge each inmate a reasonable daily room and board fee on a sliding scale. The commissioner of corrections may deduct such fee from the inmate’s account as provided for in section 48A of chapter 127. Notwithstanding the foregoing provisions, room and board shall not be denied if the inmate is incapable of paying the daily room and board fee.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of Mr. Evangelidis of Holden; and on the roll call 41 members voted in the affirmative and 111 in the negative.

[See Yea and Nay No. 260 in Supplement.]

Therefore the amendment was rejected.

Mr. Jones of North Reading and other members then moved to amend the bill by inserting after section 42A (inserted by amendment) the following section:

“SECTION 42B. Section 22C of chapter 32 of the General Laws, as appearing in the 2008 Official Edition is hereby amended by striking out, in line 29, the figure ‘2025’ and inserting in place thereof the following figure:- 2040.”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays at the request of Mr. Peterson of Grafton; and on the roll call 17 members voted in the affirmative and 143 in the negative.

[See Yea and Nay No. 261 in Supplement.]

Therefore the amendment was rejected.

Mr. Petrolati of Ludlow being in the Chair,— Mr. Jones of North Reading and other members then moved to amend the bill by striking subsection (g) of section 43 (as published). After debate the amendment was rejected.

After remarks on the question on passing the bill, as amended, to be engrossed, Mr. Sannicandro of Ashland moved to amend it by inserting after section 42A (inserted by amendment) the following section:

“SECTION 42B. Not less than \$500,000 shall be given to the town of Framingham for the purpose of reimbursement in lieu of taxes on state-owned land.”.

The amendment was rejected.

Ms. Peisch of Wellesley then moved to amend the bill in item 7004-0102 by adding the following: “; providing, further, that not less than \$200,000 shall be expended for the St. Francis House of Boston”; and in said item by striking out the figures: “33,581,684” and inserting in place there of the following figures: “\$36,281,684”.

The amendments were rejected.

Mr. Jones of North Reading and other members then moved to amend

adopted,—
yea and nay
No. 259.

Amendment
rejected,—
yea and nay
No. 260.

Amendment
rejected,—
yea and nay
No. 261.

the bill (as published) by adding the following two sections:

“SECTION 46. Sections 53, 56, 57, and 59 of chapter 27 of the acts of 2009 are hereby repealed.

SECTION 47. Section 48 shall be effective July 1, 2010.”.

Pending the question on adoption of the amendment, Mr. Murphy of Burlington moved to amend it by striking out proposed section 47 and inserting in place thereof the following section:

“SECTION 47. Notwithstanding any special or general law to the contrary, section 46 shall not take effect until such time as the executive office for administration and finance and the department of revenue has furnished a study of its impact on the state’s economy and revenue cost to the commonwealth, including, but not limited to, a distributional analysis showing the impact on taxpayers of varying income levels, the current practice of other states, any anticipated change in employment and ancillary economic activity to the house and senate committees on ways and means and until legislation has been filed and passed pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”.

After debate on the question on adoption of the further amendment, the Chair (Mr. Petrolati of Ludlow) placed before the House the question on suspension of Rule 1A in order that the House might continue to meet to meet beyond the hour of nine o’clock P.M.

Suspension of
Rule 1A.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll 137 members voted in the affirmative and 17 in the negative.

Rule 1A
suspended,—
yea and nay
No. 262.

[See Yea and Nay No. 262 in Supplement.]

Therefore Rule 1A was suspended.

After further debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays at the request of Mr. Hill of Ipswich; and on the roll call 103 members voted in the affirmative and 51 in the negative.

[See Yea and Nay No. 263 in Supplement.]

Therefore the further amendment was adopted.

The amendment, as amended, then also was adopted.

Mr. Jones of North Reading and other members then moved to amend the bill by adding the following two sections:

“SECTION 48. Section 55 of chapter 27 of the acts of 2009 is hereby repealed.

SECTION 49. Section 48 shall be effective July 1, 2010.”.

Pending the question on adoption of the amendment, Mr. Murphy of Burlington moved to amend it by striking out proposed section 49 and inserting in place thereof the following section:

“SECTION 49. Notwithstanding any special or general law to the contrary, section 48 shall not take effect until such time as the executive office for administration and finance and the department of revenue has furnished a study of its impact on the state’s economy and revenue cost to the commonwealth, including, but not limited to, a distributional analysis showing the impact on taxpayers of varying income levels, the current practice of other states, any anticipated change in employment and ancillary economic activity to the house and senate committees on ways and means and until legislation has been filed and passed pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”.

After debate on the question on adoption of the further amendment, the sense

Further
amendment
adopted,—
yea and nay
No. 263.

Further
amendment

of the House was taken by yeas and nays at the request of Mr. Peterson of Grafton; and on the roll call 99 members voted in the affirmative and 54 in the negative.

[See Ye and Nay No. 264 in Supplement.]

Therefore the further amendment was adopted.

The amendment, as amended, then also was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 50. Notwithstanding any general or special law to the contrary, salaries payable by the commonwealth shall be reduced by one per cent; provided, the reduction will apply to each full time employee or officer, whether or not elected, in all branches, offices, departments, agencies and authorities of the commonwealth, whose compensation is partially or fully funded by (i) state appropriation; (ii) receipts from bond revenues; (iii) federally funded or reimbursed programs; (iv) trust funds as defined in section 1 of chapter 29 of the General Laws; or (v) authority expenditures; provided further, if certain collective bargaining agreements prevent the salary reduction from applying to certain officers and employees who have rights under such collective bargaining agreements, a number of officers and employees whose aggregate salaries equal one percent of total salaries covered under such collective bargaining agreements shall be laid off.”.

Pending the question on adoption of the amendment, Mr. Bradley of Hingham moved to amend it by adding the following paragraph:

“Notwithstanding any special or general law to the contrary, the provisions of this section shall not take effect until such time as the executive office for administration and finance has furnished a study of its impact on the state’s economy and revenue cost to the commonwealth, including, but not limited to, a distributional analysis showing the impact on taxpayers of varying income levels, the current practice of other states, any anticipated change in employment and ancillary economic activity to the house and senate committees on ways and means and until legislation has been filed and passed pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution.”.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays at the request of Mr. Peterson of Grafton; and on the roll call 137 members voted in the affirmative and 17 in the negative.

[See Ye and Nay No. 265 in Supplement.]

Therefore the further amendment was adopted.

The amendment, as amended, then also was adopted.

Mr. Jones of North Reading and other members then moved to amend the bill by adding the following section:

“SECTION 51. Notwithstanding any general or special law to the contrary, there is hereby a temporary prohibition on all promotions, transfers, new hires, and position upgrades implemented for all permanent and temporary positions in all branches, offices, departments, agencies and authorities of the commonwealth. Said temporary prohibition shall be in effect during the time period beginning on December 1, 2009 and ending on June 30, 2010. The secretary of administration and finance may establish a restricted waiver for said prohibition; provided however, that any such waiver shall ensure that all promotions, transfers, new hires, and position upgrades are essential and directly related to protecting the public health and safety. Any waiver approved by the secretary shall be certified in writing and placed on file with the human resources division of the commonwealth.”.

The amendment was rejected.

Mr. Turner of Dennis then moved to amend the bill by adding the following

adopted,—
yea and nay
No. 264.

Further
amendment
adopted,—
yea and nay
No. 265.

section:

“SECTION 51. Chapter 70B, Section 15 (b) is hereby amended by adding at the end thereof:—

The authority shall not recapture commonwealth and authority assistance for any assisted structure that is sold or leased to a commonwealth charter school or applicant for a commonwealth charter school or if such assisted structure is part of a combined district/municipal building use plan that includes a change in use of an assisted structure and use of a different school building or municipal building for educational purposes is sold or leased to a commonwealth charter school or applicant to for a commonwealth charter school.”.

The amendment was rejected.

Mr. Murphy of Burlington then moved to amend the bill

In section 28 (as published), in lines 423 and 430, by inserting after the words “authorized producers”, in each instance, the words “, producer associations”;

After section 33 (as published) by inserting the following two sections:

“SECTION 35A. Item 4403-2000 of said section 2 of said chapter 27 is hereby further amended by striking out the words ‘60 days before promulgating any eligibility or benefit changes’ and inserting in place thereof the following:— 90 days before promulgating any eligibility or benefit changes.

SECTION 35B. Said section 2 of said chapter 27 is hereby further amended by inserting after the item 4513-1002 the following item:—

4513-1010 For the department of public health; provided, that said department may expend not more than \$2,000,000 in revenue received from the collection of federal financial participation for early intervention services delivered to Medicaid-eligible children by developmental educators and professionals in related disciplines; provided further, that nothing in this item shall give rise to or shall be construed as giving rise to enforceable legal rights to any such services or an enforceable entitlement to the services funded in this item; and provided further, that the revenue may be used to pay for current and prior year claims \$2,000,000”;

And by adding the following two sections:

“SECTION 51. Notwithstanding any general or special law to the contrary not less than \$19,044,046 shall be appropriated to item 4190-0100 in fiscal year 2010.

SECTION 52. Notwithstanding any general or special law to the contrary not less than \$25,401,925 shall be appropriated to item 4180-0100 in fiscal year 2010.”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. Murphy of Burlington; and; and on the roll call 133 members voted in the affirmative and 21 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 266.

[See Yea and Nay No. 266 in Supplement.]

Therefore the bill, as amended, was passed to be engrossed.

The same member then moved that this vote be reconsidered; and, there being no objection, the motion to reconsider was considered forthwith and it was negatived. The bill (House, No. 4348, printed as amended) then was sent to the Senate for concurrence.

Motions to Discharge Certain Matters in the Orders of the Day.

The House Bill relative to a conveyance of land in the town of East Longmeadow (House, No. 610), reported by the committee on Bill in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Puppolo of Springfield; and it was read a third time and passed to be engrossed. Sent to the Senate for concurrence.

East
Longmeadow,—
convey land.

The House Bill authorizing the town of Southbridge to establish certain special funds (House, No. 1131), reported by the committee on Bills in the third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Alicea of Charlton; and it was read a third time and passed to be engrossed. Sent to the Senate for concurrence.

Southbridge,—
Special funds.

Engrossed Bills— Land Takings.

Mrs. Haddad of Somerset being in the Chair,— The engrossed Bill relative to a conveyance of land in the town of East Longmeadow (see House, No. 610) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

East
Longmeadow,—
convey land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 267.

[See Yea and Nay No. 267 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to transfer an easement in certain land in the town of Natick to Michael Audette (see House, No. 4349) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Natick,—easement.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 268.

[See Yea and Nay No. 268 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to the leasing of certain parcels of land in the city of Boston (see House, No. 4356) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Boston,—lease
land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 269 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted
(land taking),—
yea and nay
No. 269.

Emergency Measures.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey, lease and grant easements with respect to certain land in the town of Uxbridge (see House, No. 4300, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Uxbridge,—
easement.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 49 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 270.

[See Yea and Nay No. 270 in Supplement.]

[Ms. Polito of Shrewsbury answered “Present” in response to her name.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the conveyance of certain parcels of land in the town of Sharon (see House, No. 4357) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Sharon,—convey
land.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 58 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 271.

[See Yea and Nay No. 271 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the Rose Fitzgerald Greenway Conservancy,

Rose Fitzgerald
Kennedy

Inc. to lease certain property to the National Park Service (see House, No. 4347, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 50 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 152 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 272 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to the leasing of the Horseneck Point Lifesaving Station in the town of Westport to the Westport Fishermen's Association (see House, No. 4351), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 45 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 151 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 273 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill extending simulcasting (see House, No. 4323, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 53 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate.

The engrossed Bill authorizing an exchange of certain parcels of land for Martha's Vineyard Hospital (Senate, No. 2146, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Greenway.

Bill enacted
(land taking),—
yea and nay
No. 272.

Westport,—
Horseneck Point
Lifesaving Station.

Bill enacted
(land taking),—
yea and nay
No. 273.

Simulcasting,—
extending.

Bill enacted.

Martha's
Vineyard
Hospital.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 37 to 0. Sent to the Senate for concurrence.

Engrossed Bill — Land Taking.

Mr. Donato of Medford having taken the Chair,— The engrossed Bill providing for the transfer of certain state real property to the town of Hopkinton (see House, No. 4350) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Hopkinton,—land transfer.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 149 members voted in the affirmative and 0 in the negative.

Bill enacted (land taking),—yea and nay No. 274.

[See Yea and Nay No. 274 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The Senate Bill relative to the Sandwich Visitor Services Board (Senate, No. 2074), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third reading bill.

House bills

Relative to the Board of Registration of Social Workers (House, No 4262) (its title having been changed by the committee on Bills in the Third Reading); and

Third reading bills.

Authorizing the town of Hingham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4268) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The Senate Bill relative to the appointment of a certain civil service class as firefighters in the city of Boston (Senate, No. 2032); and

Second reading bills.

House bills

Relative to the licensure of health plans (House, No. 971);

Amending the responsibilities of the Nantucket Planning and Economic Development Commission (House, No. 1122);

Relative to town meeting in the town of Framingham (House, No. 1896);

Authorizing the town of North Andover to grant a license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4189);

Amending the charter of the town of Millis for the purpose of establishing an appointed board of assessors (House, No. 4216);

Providing for the appointment of the members of the Dalton Redevelopment Authority (House, No. 4242, changed);

To require engine coolant and antifreeze to contain a bittering agent so as to render it unpalatable (House, No. 4285);

Authorizing the town of Tyngsborough to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4296);

Establishing a regional waste water district for the towns of Mansfield, Foxborough and Norton (House, No. 4307);

Establishing a sick leave bank for Jeanette Ross, an employee of the Department of the Trial Court (House, No. 4311);

Relative to insurance benefits of organ transplant recipients (House, No. 4328); and

Relative to establishing a sick leave bank for Christopher Sandiford (House, No. 4333);

Severally were read a second time; and they were ordered to a third reading.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Next
sitting.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at a quarter before twelve o'clock midnight, on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.